

# State of Wisconsin \ Government Accountability Board

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**DATE:** February 13, 2012

**TO:** Wisconsin Municipal Clerks  
City of Milwaukee Election Commission  
Wisconsin County Clerks  
Milwaukee County Election Commission

**FROM:** Nathaniel E. Robinson  
Elections Division Administrator  
Government Accountability Board

**SUBJECT:** Central Count Absentee Guideline and Procedure Review Process  
**Action Requested by Thursday, February 16, 2012.**

Immediately following this Memorandum, please find the Central Count Absentee Guideline, which was adopted by the Government Accountability Board at its meeting on December 13, 2011.

At the Board's August, September, and December 2011 meetings, the Board considered previous recommended procedures for Central Count Absentee and those practices in place in various jurisdictions. In addition, the Board considered comments submitted by many clerks regarding effective Central Count Absentee procedures and limitations of the current enabling statutes. Ultimately and in the current context of the relatively recent activities of the Joint Committee for Review of Administrative Rules, the Board adopted a guideline with stricter adherence to the statutory provisions prescribing the Central Count Absentee procedures.

Most notably, this Central Count Absentee Guideline reaffirms the statutory election night reconciliation of the central count poll list with polling place poll lists. After any Central Count Absentee canvass is completed, the Board of Canvassers shall reconcile the poll list (or absentee log) of the electors who vote by absentee ballot with the corresponding poll list of electors who vote in-person to ensure that no elector is allowed to cast more than one ballot. *Wis. Stat. §7.53(1) and (2)(d)*. If an elector who votes in-person has submitted an absentee ballot, the absentee ballot is void. *Id.*

In addition, the Board directed staff to notify all clerks, but specifically clerks for municipalities with existing or contemplated Central Count Absentee, of the Central Count Absentee Guideline and the Board's direction that clerks conform their Central Count Absentee conduct to the law. **For those clerks in municipalities with, or contemplating, Central Count Absentee, please forward copies of your enabling ordinances and any written procedures for Central Count Absentee for review by Board staff to ensure compliance with the Central Count Absentee Guideline and statutes. Direct your emails to David Buerger, Election Specialist, at [David.Buerger@wi.gov](mailto:David.Buerger@wi.gov). Please complete this submission no later than Thursday, February 16, 2012.**

Please note that the Board also directed staff to incorporate more information regarding Central Count Absentee processes in the Election Day Manual and training, as well as develop recommendations for statutory revisions for consideration by the Board. This work continues at the G.A.B.; however, the Legislature continues to consider statutory revisions of the absentee voting process as a whole, which may further impact the Central Count Absentee Guideline and procedures. Both houses of the

Central Count Absentee Guideline and Procedure Review Process

February 13, 2012

Page 2

Legislature have introduced bills restricting electors from voting in-person, if they have already returned an absentee ballot to a clerk. See 2011 AB525 and SB271. This pending legislation is nearing a vote in both the Assembly and Senate. For more information, please review the bills and amendments at: <https://docs.legis.wisconsin.gov/2011/proposals/ab525>  
<https://docs.legis.wisconsin.gov/2011/proposals/sb271>.)

For more background on the development of the Central Count Absentee Guideline, please see the Memorandum to the Board dated December 13, 2011 and attachments, which can be found on the G.A.B. website in the December 13, 2011 Board Meeting Materials at pages 34-51:  
<http://gab.wi.gov/about/meetings/2011/december>.

If you have any further questions or concerns, please contact David Buerger, Election Specialist, at 608-267-0951 or [David.Buerger@wi.gov](mailto:David.Buerger@wi.gov). Thank you.

cc: Kevin J. Kennedy  
Director and General Counsel  
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Ross D. Hein  
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